

Frankfort/Franklin County
Planning Commission

August 9, 2007
5:30 P.M.

Chairman Dwayne Cook, Presiding

Chairman Dwayne Cook called the meeting to order. Recording Secretary Dianna Rogers called the roll.

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| Members Present: | Sherron Jackson | |
| | Patti Cross | |
| | Charles Booe | |
| | Annie Metcalf | |
| | Keith Lee | |
| | Vickie Sewell | |
| | David Garnett | |
| | Darrell Sanderson | |
| | Dwayne Cook | |
| | Charlie Stewart | (10) |
| Members Absent: | Joel Schrader | (1) |

There being a quorum, the meeting proceeded.

The first item of business was approval of the minutes of July 12, 2007. The following corrections were submitted: page 3, 6th paragraph, 4th line should say “Mr.” Sanderson; page 5, 10th paragraph, 3rd line should say “traffic” report instead of staff report; page 7, 3rd paragraph, 1st line should say “Robert” instead of Kelly. A motion was made by David Garnett to approve the minutes with the above corrections. The motion was seconded by Vickie Sewell and carried unanimously.

The next item of business was approval of the payment of bills. A motion was made by Mr. Jackson to approve the following bills for payment:

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| Dianna Rogers – PC/July 2007 | \$ 300.00 |
| Dawn McDonald – BZA/July 2007 | 150.00 |
| Edwin Logan – BZA/July 2007 - \$550. | |
| Edwin Logan – PC/July 2007 - \$700. | 1,250.00 |
| Judd’s – Name Plate | 19.95 |

The motion was seconded by Ms. Sewell and carried unanimously.

There were no Reports of Officers, Standing Committees, Special Select Committees or Special Orders.

Under Staff items, Robert Hewitt, County Planning Director, stated several committee meetings were scheduled: 8/20 – Subdivision Update Committee at 6 PM at the Court House Annex; 8/22 – Zoning Ordinance Update Committee at 6 PM at City Hall; 9/19 – Traffic Discussion – Comprehensive Plan Update at 6 PM at the Court House Annex.

Also under Staff Items, Gary Muller, City Planning Director, stated he was coming to the Commission for an interpretation regarding a development sign for Parkside Development. He stated his interpretation was that the sign is an accessory use to the overall development. He added if his interpretation was used the sign is not allowed without a building. Mr. Logan stated if no action was taken by the Commission Mr. Muller's interpretation would stand. A motion was made by Mr. Lee to allow the sign. The motion was seconded by Mr. Sanderson. Those voting in favor of the motion: Mr. Lee, Mr. Sanderson, Mr. Cook. Those voting against the motion: Mr. Jackson, Ms. Cross, Ms. Metcalf, Ms. Sewell, Mr. Garnett. Abstaining from the vote was Mr. Booe. The motion failed 5-3-1 with the abstention going with the majority vote.

Note: Mr. Stewart present at this time.

The next item of business was a continuation of a public hearing from Ricky L. Wentworth requesting approval of a zone map amendment from Rural Residential "B" District (RB) to Planned Residential District (PR) for 51.71 acres of property located at Devils Hollow Road and Skyline Drive in Franklin County, Kentucky. The properties are more specifically identified as PVA map ID #04-00-00-032.00 and PVA map ID #048-040-03-004.00.

Ms. Vickie Sewell recused herself from participation regarding this request.

A motion was made by Mr. Garnett to take the item from the table. The motion was seconded by Mr. Jackson and carried unanimously.

A motion was made by Mr. Garnett to establish the finding of fact that the adopted traffic study did not take into account the Collins property rezone on Pea Ridge and the multi portion of Pebble Brook. The motion was seconded by Mr. Jackson and carried unanimously.

A motion was made by Mr. Garnett to establish the finding of fact that the traffic report shows an increase from the development from 19 to 100 vehicles exiting from Skyview to Devils Hollow in the morning. The motion was seconded by Ms. Metcalf and carried unanimously.

A motion was made by Mr. Garnett to establish the finding of fact that the traffic report showed westbound traffic increases from 276 vehicles to 558 in the afternoon. The motion was seconded by Ms. Cross and carried unanimously.

A motion was made by Mr. Garnett to establish the finding of fact that if the rezoning were approved the development could be built without improvement of Devils Hollow Road and without further review by the Planning Commission. The motion was seconded by Ms. Cross. Those voting in favor of the motion: Mr. Jackson, Ms. Cross, Ms. Metcalf, Mr. Garnett, Mr. Sanderson, Mr. Cook. Voting against the

motion was Mr. Lee. Abstaining from the vote was Mr. Booe and Mr. Stewart. The motion carried 6-1-2 with the abstention going with the majority vote.

A motion was made by Ms. Metcalf to establish the finding of fact that according to the TRC there are capacity issues with the sewer system in this area. The motion was seconded by Mr. Booe. Those voting in favor: Mr. Jackson, Ms. Cross, Mr. Booe, Ms. Metcalf, Mr. Garnett, Mr. Sanderson, Mr. Cook. Voting against the motion was Mr. Lee. Abstaining from the vote was Mr. Stewart. The motion carried 7-1-1.

A motion was made by Mr. Lee to adopt staff report findings 1, 2, 4, 5, 6 & 7 as findings of fact. The motion was seconded by Mr. Sanderson. Those voting in favor: Mr. Jackson, Ms. Cross, Mr. Booe, Ms. Metcalf, Mr. Lee, Mr. Garnett, Mr. Sanderson and Mr. Cook. Abstaining from the vote was Mr. Stewart. The motion carried 8-0-1.

A motion was made by Mr. Lee that findings of fact cease. The motion was seconded by Ms. Cross. Those voting in favor: Mr. Jackson, Ms. Cross, Mr. Booe, Ms. Metcalf, Mr. Lee, Mr. Garnett, Mr. Sanderson, Mr. Cook. Abstaining from the vote was Mr. Stewart. The motion carried 8-0-1.

A motion was made by Mr. Lee to table the request for a new traffic study including the two new rezonings and that the traffic engineer be present at the meeting. The motion was seconded by Mr. Sanderson. Those voting in favor: Mr. Stewart, Mr. Lee, Mr. Sanderson. Those voting against the motion: Mr. Jackson, Ms. Cross, Mr. Booe, Ms. Metcalf, Mr. Garnett, Mr. Cook. The motion failed by a vote of 6-3.

A motion was made by Mr. Garnett that the request be denied based on findings 1, 2, 3, 4 & 5. The motion was seconded by Ms. Cross. Those voting in favor of the motion: Mr. Jackson, Ms. Cross, Mr. Booe, Mr. Stewart, Ms. Metcalf, Mr. Garnett, Mr. Sanderson, Mr. Cook. Those voting against the motion: Mr. Lee, Mr. Sanderson. The motion carried by a vote of 7-2.

The first item of new business was a request from Denham-Blythe Co., Inc. for a modification of standard relating to signage for the proposed development referenced as Capital Day School located on Glenns Creek Road, with access from Sower Boulevard, more specifically described as PVA map #075-00-00-004.02. The requested modification is to Article 13 – Sign regulations, Table 13.3 which does not provide for any fascia signage for institutional uses.

Mr. Stewart recused himself from this item.

The applicant, Ms. Galina Stumbur, was present. Ms. Stumbur stated she was an architect with Denham-Blythe and was present on behalf of the Board of Trustees of Capital Day School. She stated they want a sign that would have the

school name on it and also major donors. She added it would be 200 square feet as outlined in the staff report. She stated the sign would front the East/West Connector and would be 900 feet from the Connector. She stated it would be obscured. She stated the sign would be on metal lifters with a brick facade. She added they were in agreement with the staff report.

Mr. Gary Muller, City Planning Director, was present and stated he had no changes to the staff report. He stated he felt it was an error initially not to have institutional allowance for signage. He stated a majority are exempt as they are government owned.

There was no one present to speak in favor or in opposition to the request.

A motion was made by Mr. Jackson to approve the request with staff conditions and the sign be calculated the same as professional office use. The motion was seconded by Mr. Sanderson and carried unanimously.

The final item of business was a public hearing from the City of Frankfort Planning Staff for approval of a text amendment to Article 19, Section 19.06 Day Care Centers, Nurseries, Kindergartens to the City of Frankfort's Zoning Ordinance. Specifically, the request is to amend the language specifying the play area requirements and adding language for 1000' separation from an established residence of a registered sex offender.

The Secretary swore in staff. Mr. Gary Muller stated his Vita was on file. Mr. Edwin Logan requested the staff report be accepted into the record in lieu of additional testimony. The record was entered without objection.

There was no one in the audience to speak in favor or in opposition to the request.

A motion was made by Mr. Jackson that the public hearing be closed and the staff report be adopted as the summary action be taken tonight. The motion was seconded by Ms. Cross and carried unanimously.

A motion was made by Jackson that the request be forwarded to the City Commission with a vote of approval by the Planning Commission based on the staff report. The motion was seconded by Ms. Cross and carried unanimously.

A motion was made by Ms. Cross and seconded by Ms. Sewell to adjourn. The motion carried unanimously.

Chairman Dwayne Cook

Recording Secretary Dianna Rogers

